



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Minutes - Draft

Planning Board

Monday, July 23, 2018

7:00 PM

Council Chambers

1 Call To Order

2 Roll Call and Declaration of Quorum

The meeting was called to order by Chair, David Douglass. Other members present were: Kaitlyn Tuttle, Keith Elder, Griffin Bourassa, Drew Mayo, and Bill Walker.

Planner, Amanda Lessard, was also present.

3 [PB 18-061](#) Approval of Minutes: July 9, 2018

Attachments: [Minutes 7-9-18 - draft](#)

Bill Walker made a motion to table the minutes of July 9, 2018 until the next meeting because there had not been time to review them.

Seconded by Drew Mayo.

Vote: Five in favor. No one opposed. Griffin Bourassa abstained.

New Business

4 [PB 18-058](#) 18-20 Windham Community Park. Major site plan sketch plan review. Town of Windham to request review of a 4.6 acre outdoor recreation facility. The property in question is located at 375 Gray Road and identified on Tax Map: 9, Lot: 71, Zone: Farm Residential (FR).

Attachments: [18-20 Community Park Sketch 07-18-16](#)
[Community Park Sketch Plan Submission 20180702](#)
[Community Park Sketch Plan](#)
[Windham Community Park MP 2018.06.20](#)

Dan Diffin, of Sevee and Mahar, was present representing the applicant. He explained that currently there was a community garden, skate park, and 20 parking spaces on the site. They proposed:

- Increasing the parking.*
- Building a new skate park.*
- Adding two basketball courts; a playground for small children; two beach sand volleyball courts; a covered concrete pad for picnic tables; composting toilets; and a grassed slope amphitheater for small public gatherings.*

- *Walking trails would be constructed for passive recreation.*
- *There would be sidewalks and paved parking.*
- *They would not need stormwater approval from the State but they would need to meet the town's stormwater standards.*
- *They requested a waiver of the requirement for two curb cuts. Three currently existed on the site and they proposed a fourth.*

The Board requested:

- *Delineation on the plan of pavement vs. what was not paved.*
- *Would they consider paving to the amphitheater for access?*
- *More information regarding the traffic count, site distance, and speed.*

Bill Walker made a motion to schedule a sitewalk.

Seconded by Keith Elder.

Vote: All in favor.

Keith Elder made a motion to schedule a public hearing.

Seconded by Bill Walker.

Vote: All in favor.

- 5** [PB 18-059](#) 18-21 Gray Road Retirement Community. Major subdivision sketch plan review. Weld, LLC to request review of a 12 unit residential subdivision in six duplexes. The property in question is located at Gray Road and Swett Road and identified on Tax Map: 9, Lots: 27K and 27E, Zone: Farm Residential (FR) and Retirement Community and Care Facility Overlay District (RCCFO).

Attachments: [18-21 Gray Road Retirement Community Sketch 07-20-2018](#)

[Gray Road Retirement Community Sketch Subdivision Plan Application 2018 7 2](#)
[Gray Road Retirement Community Sketch Subdivision Plan](#)

Dustin Roma, a civil engineer with DR Roma Consulting Engineers, was present representing the applicant. They proposed:

- *12 units in six buildings on 11 acres. This was intended to be the first phase of a larger project. The larger project was conceptual only. They were starting with a small, neighborhood sized project.*
- *A watermain would be installed to serve the development.*
- *Two stormwater filters were proposed.*
- *Two leach fields were proposed.*
- *Wetlands had been mapped.*
- *A Stormwater Permit by Rule was required.*

The Board asked:

- *What would the future phase be like?*
- *Who would own the project?*
- *Would it be age restricted?*
- *Would the buildings have sprinklers/alarm monitors?*
- *What about walkability to the proposed community park, which would be across the street?*

- *What watershed was it in?*
- *What was the eventual build-out?*
- *Why not use Swett Road for access?*
- *Why not show the whole site?*

Mr. Roma responded:

- *Conceptually, the next phase would be similar to this one.*
- *The condos would be individually owned. Common areas, except for the watermain, would be managed by the association. The watermain would be public.*
- *The project would meet the State criteria for a retirement community.*
- *They had not yet determined whether the units would be sprinkled or have alarm monitors.*
- *There would be a curb and sidewalk. The method of access to the community park had not yet been determined.*
- *The units closest to Route 202 would be in the Black Brook watershed. He believed the remainder of the property was in the Pleasant River watershed.*
- *They were trying to fit the project in with the abutting single family residences. The eventual build-out may be 50 something units, which was about half of what the density calculations would allow.*
- *They didn't proposed access from Swett Road because there was only a 50 foot wide strip there. Additionally, there were wetland constraints and an abutter had a retaining wall right up to the right-of way. An access there would disadvantage that house. Access from Route 202 would allow direct access to the watermain.*
- *The future build-out was conceptual. Other things could happen if the first phase didn't work out. It was a hurdle for an applicant to have all the engineering work done for a preliminary project that may not be done.*

Public Comment:

Helen Hurgin, Swett Road – She never thought the land would be developed and had concerns for the water quality and wildlife. It was a wooded corridor and a stream ran through the wetlands and to the Pleasant River. They needed to think how to protect the river. How many units were planned? What would be the draw to attract people there? She was concerned about traffic.

Sparky Hurgin, Swett Road – They were proposing two access points across the road from the four curb cuts that were proposed for the community garden. That was six curb cuts in less than a ¼ mile stretch of Route 202. He couldn't imagine retired people running across Route 202.

The wetland was more than a drainage ditch; it never dried up. There seemed a lot of run-off going to the Pleasant River. They should think of the impact and additional curb cuts on Route 202.

Madalyn Geyer, Swett Road – She was concerned with the wet strip. Their dug well was in that brook. There was all ledge behind her. If there was run-off from the development and her well went bad, who would take care of it? This was very important.

George Geyer, Swett Road – He was concerned with how many buildings and contamination of wells. The watershed was probably 30 or 40 feet wide and it was right at the end of his property.

Ron Wain, Swett Road – His well had been contaminated a few years ago; he wasn't sure why. He had spent considerable money drilling a new one. Would the contractor be

interested in buying them out? If they had access from Swett Road there would be no concern about the number of curb cuts. If wells got contaminated maybe they could tap into the watermain.

Public Comment was closed.

Mr. Roma explained:

- They would perform nitrate analysis to design the septic systems and would take wells into account.
- He understood everyone's concerns. They were starting with a small project so everyone could see how it would be. Density calculations allowed 90 plus units. They were thinking of around 50 units. It was still conceptual.
- They could provide a sketch of the eventual build-out. The neighbors should be aware that it was for information only and when the Board made a decision it would only be for the 12 units.

Bill Walker made a motion for a sitewalk.

Seconded by Drew Mayo

Vote: All in favor.

Keith Elder made a motion to schedule a public hearing.

Seconded by Bill Walker.

Vote: All in favor.

- 6 [PB 18-060](#) 18-22 River Gate Estates Amendment. Jeff & Deanna Barrows to request an amendment to an approved subdivision to divide Lot 5 into two separate parcels. The property in question is located at 31 Rousseau Road and identified on Tax Map: 2A, Lot: 1-5, Zone: Farm (F).

Attachments: [18-22 River Gate Estates Amendment Lot 5 07-20-2018](#)
[Lot 5 River Gate Estates Amended Subdivision Application 2018 7 2](#)
[Lot 5 Rivergate Estates Amended Subdivision 2018 7 2](#)

Dustin Roma, a civil engineer with DR Roma Consulting Engineers, was present representing the applicant. They proposed:

- To divide one lot into two. The subdivision had been approved in 1981 with a covenant that prevented lot splits for 30 years. The covenant had expired.
- There was not enough existing frontage to create the second lot. A roadway with a hammer-head had been designed to meet the minor private road standard which would provide the remaining frontage. It would function as a driveway to the second lot.
- A test pit had been done on the proposed lot.
- The existing driveway would remain in use. There was a sharp curve which impacted site distance to the right. They proposed to cut trees on the corner in order to improve the site distance.

Amanda Lessard explained:

- The property was in an approved subdivision. Currently, there was not sufficient road frontage on Rousseau Road to split the lot without creating more frontage, which would be a dead end road with a hammer-head.

- A recent ordinance amendment allowed an exemption for the creation or extension of a new private road, which would provide a new lot with the minimum required frontage, once in a five year period.
- The Board could waive the road standard requirement.

The Board discussed road standards:

- The proposed road seemed more complicated than it needed to be for a single lot driveway.
- Without the hammer-head there would still be adequate frontage created.
- The ordinance had recently been put in place to prevent bad roads being built. Waiving the road standard would subvert the purpose of the ordinance.

Consensus of the Board was not to require a sitewalk.

Bill Walker made a motion to schedule a public hearing.

Seconded by Griffin Bourassa.

Vote: Four in favor. Keith Elder and Kaitlyn Tuttle opposed.

Amanda Lessard explained she had been contacted by one abutter who had concern regarding every lot in the subdivision being split and using a hammer-head.

Other Business

7 Adjournment

Griffin Bourassa made a motion to adjourn.

Seconded by Bill Walker.

Vote: All in favor.